

CHAMBERS

1 Joseph R. Saveri (SBN 130064)
jsaveri@lchb.com
2 Brendan P. Glackin (SBN 199643)
bglackin@lchb.com
3 Andrew S. Kingsdale (SBN 255669)
akingsdale@lchb.com
4 LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
275 Battery Street, 29th Floor
5 San Francisco, CA 94111-3339
Telephone: (415) 956-1000
6 Merrill G. Davidoff (Admitted *Pro Hac Vice*)
mdavidoff@bm.net
7 Bart D. Cohen (Admitted *Pro Hac Vice*)
bcohen@bm.net
8 Michael J. Kane (Admitted *Pro Hac Vice*)
mkane@bm.net
9 BERGER & MONTAGUE, P.C.
10 1622 Locust Street
Philadelphia, PA 19103
11 Telephone: (215) 875-3000
12 *Co-Lead Counsel for Plaintiffs*

FILED

SEP 23 2010

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16
17 In re ATM FEE ANTITRUST
18 LITIGATION

Master File No. C04-2676 CRB

19 **CLASS ACTION**

20 This Document Relates To:
21
22 ALL ACTIONS

23 **[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION TO COMPEL
RESPONSES TO 1) PLAINTIFFS' FIFTH
SET OF REQUESTS FOR PRODUCTION OF
DOCUMENTS TO CONCORD EFS, INC.
AND FIRST DATA CORPORATION, AND 2)
PLAINTIFFS' INTERROGATORIES
PROPOUNDED TO ALL BANK
DEFENDANTS ON AUGUST 2, 2010**

26 Judge: Hon. Charles R. Breyer
27 Courtroom: 8, 19th Floor
28 Date: October 15, 2010
Time: 10:00 a.m.

Upon consideration of Plaintiffs' Motion to Compel Plaintiffs' Motion to Compel Responses to 1) Plaintiffs' Fifth Set of Requests for Production of Documents to Concord EFS, Inc. And First Data Corporation, and 2) Plaintiffs' Interrogatories Propounded to All Bank Defendants On August 2, 2010, the Court GRANTS the motion.

Within ten days of this Order,

- Star shall produce data and information responsive to Request No 5 and Request No. 6 of Plaintiffs' Fifth Set of Requests for Production (served on July 29, 2010) for the period February 1998 through May 2008;
 - Star shall produce a privilege log of any responsive documents withheld from production in response to Plaintiffs' Fifth Set of Requests for Production (served on July 29, 2010);
 - The Bank Defendants shall provide monthly foreign ATM transaction data and other information responsive to Plaintiffs' Interrogatories 1 through 11 (served on August 2, 2010);
 - Bank of America, Citibank, Wachovia, and Wells Fargo shall provide substantive responses to Plaintiffs' Interrogatories 12 through 14 (served on August 2, 2010) regarding prior lawsuits or other claims by or against Star; and
 - The parties shall meet and confer about a protocol for the production of electronically stored information.

IT IS SO ORDERED.

Dated: Sept. 23, 2010

THE HONORABLE CHARLES R. BREYER